IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:08CV401-03-MU

DERRICK LAMONT SMITH,)	
Plaintiff,)	
v.)	
OFFICER WETZEL,)	<u>ORDER</u>
Defendant.)	
)	

THIS MATTER comes before the Court on the Plaintiff's Complaint pursuant to 42 U.S.C. § 1983 filed August 28, 2008. On September 2, 2008, the undersigned ordered the United States Marshal to effectuate service of process on Defendant Wetzel and directed that Defendant Wetzel file an Answer to Plaintiff's Complaint. It has recently come to the undersigned's attention that on October 9, 2008, the United States Marshal's Office returned the summons directed to Defendant Wetzel as unexecuted with a notation that Defendant was no longer employed by the Sheriff's Office.

This Court directs the Sheriff to provide the last known address on file for Detention Officer Wetzel within ten (10) days of the date of this Order. The Sheriff is further directed to send such document directly to the undersigned's chambers.

THEREFORE, IT IS HEREBY ORDERED that the Sheriff shall provide Detention

Officer Wetzel's last known address to the undersigned within ten (10) days of the date of this

Order. The Clerk is directed to serve a copy of this Order on Mecklenburg County Sheriff

Bailey.

SO ORDERED.

Signed: November 3, 2008

Graham C. Mullen United States District Judge